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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

ROBERT F. CRUICKSHANK III, ET AL. : EXAMINER: DHAIRYA A. PATEL

SERIAL NO: 09/995,371 :

RCE FILED: HEREWITH : GROUP ART UNIT: 2151

FOR: NETWORK PERFORMANCE :  
DETERMINING

AMENDMENT UNDER 37 C.F.R. § 1.114

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated August 9, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

12/12/2005 JADD01 00000079 09995371

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